

REMARKS

By this Amendment, claims 5-6 and 11 and 14-15 are amended to remove inappropriate parenthetical statements, claims 1-3, 7-8, 12 and 16 are merely clarified without reducing the scope of the claimed invention and claim 17 is cancelled without prejudice or disclaimer.

The Office Action rejected claim 17 under 35 U.S.C. § 102(e) as being anticipated by Maggenti et al. (U.S. Patent No. 6,477,150; hereafter "Maggenti"). Cancellation of claim 17 renders its rejection moot.

Claims 1-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Maggenti in view of Yarwood (WO 94/28687). Applicant traverses the rejection because the combined teachings of Maggenti and Yarwood fail to disclose, teach or suggest the claimed invention. For example, the cited prior art fails to disclose, teach or suggest the claimed method for point-to-multipoint communication on a communications network, comprising "checking whether the second downlink packet stream is associated with group communication, and, if the second downlink packet stream is associated with group communication, checking whether the second downlink packet stream is associated with the same group communication as the first downlink packet stream, and . . . if the second downlink packet stream is associated with the same group communication, allocating no new radio resources for the second downlink packet stream and instructing said second mobile recipient to receive said second downlink packet stream over said first downlink", as recited in independent claim 1 and its dependent claims.

Similarly, the cited prior art fails to disclose, teach or suggest the claimed method for point-to-multipoint communication on a communications network comprising "checking whether the second downlink packet stream is associated with group communication, and, if the second downlink packet stream is associated with group communication, checking whether the second downlink packet stream is associated with group communication that has already reserved downlink radio resources for the first downlink packet stream of the first mobile recipient located in the same radio cell as said second mobile recipient, and . . . if the second downlink packet stream is associated with group communication that has already reserved downlink radio resources for the first mobile recipient located in the same radio cell as said second mobile recipient, allocating no new radio resources for the second downlink packet stream and instructing said second mobile recipient to receive said first downlink

packet stream over said already reserved radio resources,” as recited by independent claim 7 and its dependent claims.

Similarly, the cited references fail to teach or suggest a mobile communications system comprising “means for checking whether the second downlink packet stream is associated with group communication and for checking, in response to the second downlink packet stream being associated with group communication, whether the second downlink packet stream is associated with group communication that has already reserved downlink radio resources for a first downlink packet stream of a first mobile recipient located in the same radio cell as said second mobile recipient, and . . . means for instructing said second mobile recipient to receive said first downlink packet stream over said already reserved radio resources in response to the second downlink packet stream associated with group communication that has already reserved downlink radio resources for the first mobile recipient located in the same radio cell as said second mobile recipient,” as recited by independent claim 12 and its dependent claims.

Additionally, the cited references fail to teach or suggest a network element “being configured to respond to receiving, at the radio access network, a second downlink packet stream addressed to a second mobile recipient by checking whether the second downlink packet stream is associated with group communication and to check, in response to the second downlink packet stream being associated with group communication, whether the second downlink packet stream is associated with group communication that has already reserved downlink radio resources for a first downlink packet stream of a first mobile recipient located in the same radio cell as said second mobile recipient, . . . said network element being configured to allocate no new radio resources for the second downlink packet stream and to instruct said second mobile recipient to receive said first downlink packet stream over said already reserved radio resources in response to the second downlink packet stream being associated with group communication which has already reserved downlink radio resources for the first mobile recipient located in the same radio cell as said second mobile recipient,” as recited by independent claim 16.

Maggenti merely discloses two possibilities for group communication: a unicast method, in which a data stream is copied and then transmitted for every single recipient in dedicated channels; and a broadcast method, in which one data stream is directed to all mobile stations located in the area of one base station.

However, there is no teaching or suggestion of differentiating between first and second downlink streams for the purposes of allocating radio resources based on whether downlink packet streams are associated with group communication associated with other packet streams. Thus, Maggenti fails to teach or suggest the claimed invention wherein two different groups in a particular cell can be served separately with a single respective channel.

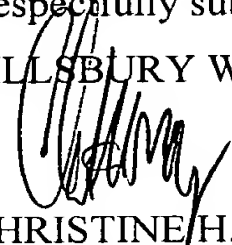
Yarwood fails to remedy the above deficiencies of Maggenti because Yarwood merely discloses a group call system in which all mobile units receive a call, over a single channel, from a control centre or another mobile unit. As such, if Yarwood were combined with Maggenti, the claimed invention would not result. Rather, the combination of Yarwood and Maggenti would lead to a situation in which all subscribers residing in a cell area would receive the group communication information along a single channel.

For at least the above reasons, claims 1-16 are patentable over the cited references, and the rejection under 35 U.S.C. § 103(a) should be withdrawn.

All objections and rejections having been addressed, Applicant requests issuance of a notice of allowance indicating the allowability of all pending claims. If anything further is necessary to place the application in condition for allowance, Applicant requests that the Examiner contact Applicant's undersigned representative at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,
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